

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 89 OF 2024****Shantikumar Ramrao Ovalekar & Anr.****.....Petitioners.****Vs.****The State Of Maharashtra & Ors.****.....Respondents**

Mr. Ramakant Paranjpe for the Petitioners.**Smt. Mansi Bane, AGP for the Respondent Nos.1 to 4-State.****Mr. R.S. Apte, Senior Advocate a/w Adv. Ajit Ram Pitale for the Respondent Nos.5 to 7.****Mr. Shriram S. Kulkarni for the Respondent No.8.**

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.****DATE : 16th APRIL, 2025.****PC.:-**

1) Mr. Apte, learned senior counsel for the Respondent Nos.5 to 7 on instructions submitted that, the Corporation had issued a notice under Section 260 of Maharashtra Municipal Corporation Act to the Respondent No.8 and after following due process of law, the final Order is passed on 13th March, 2025. That, the 15 days period is granted to the Respondent No.8 to remove offending structures as per the notice and final order. After the period of limitation comes to an end, the Respondent-Corporation will adopt the necessary steps for removal of offending structure if the Respondent No.8 did not do the needful. The said statement is accepted.

2) As the Corporation is taking lawful steps to remove illegal structures, in case the Respondent No.8 intends to challenge the final Order dated 13th March, 2025 passed under Section 260 of the Maharashtra Municipal Corporation Act by way of filing a Civil Suit or otherwise, he shall take prior leave of this Court.

3) Petition is accordingly disposed off in the aforesaid terms.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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